

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1, 8-9, 12, 15 and 22 have been amended. Claims 3-4, 6, 10-11, 13, 17-18, 20, 24-25 and 27 were previously cancelled without prejudice. No new claims have been added. Therefore, claims 1-2, 5, 7-9, 12, 14-16, 19, 21-23, 26 and 30 are presented for examination.

35 U.S.C. §103 Rejection

Claims 1, 2, 4, 5, 8, 9, 11, 12, 15, 16, 18, 21-23, 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Simpson, U.S. Patent Publication No. 2004/0266399 (“Simpson”) in view of French-St. George, et al., U.S. Patent No. 6,122,348 (“French”).

Applicants respectfully disagree with the Examiner’s characterization of the references and the pending claims. For example, Applicants maintain that Simpson does not teach or reasonably suggest “notification including a signal from the cell phone” and “retrieving information in addition to a caller ID associated with the incoming call” as recited by claim 1 (emphasis added). Similarly, French also does not teach or reasonably suggest at least these features of claim 1. Hence, French does not make up for any of the deficiencies of Simpson.

Nevertheless, for the sake of expediting issuance of this case, Applicants propose additional amendments to the pending claims and submit the following remarks.

Claim 1, as amended, recites:

A method of managing an incoming call on a cell phone, comprising:
receiving notification of an incoming call on a personal data processing device external to the cell phone, the personal data processing device coupled to the cell phone via a connection;
retrieving caller identification (ID) and information associated with the incoming call, wherein the caller ID and the information are retrieved from a plurality of sources;

examining one or more of predefined preferences of a user of the cell phone, a calendar of the user indicating availability of the user, and real-time instructions from the user, wherein examining includes determining whether a configuration is set such that a response is automatically sent to the incoming call; and

managing the incoming call according to the one of the predefined preferences and the real-time instructions, wherein the one of the predefined preferences and the real time instructions includes at least one of forwarding the incoming call, requesting a sender of the incoming call to send an instant message, and responding to the incoming call with a voicemail message, wherein the responding to the incoming call is adjusted according to one or more of the predefined preferences, the calendar, and the real-time instructions. (emphasis added)

Simpson discloses a “method for providing selected status announcements from a wireless telephone user to a caller comprising receiving an incoming call from a caller.

The method further comprises that responsive to a determination that an automatic answering mode applies to the incoming call: receiving a pre-selected announcement action corresponding to the incoming telephone call and performing the pre-selected announcement action. If the pre-selected announcement action includes a hold announcement, then the incoming telephone call is answered by providing the caller with the hold announcement and placing the wireless telephone in mute mode until the user has taken the incoming telephone call. The method further comprises that responsive to a determination that a manual answering mode applies to the incoming call, receiving a user-selected announcement action.” (Abstract)

French discloses a “system and method for providing multisensory signaling capabilities enables a user to manage the receipt of incoming communication events, after an initial notification sequence, using multiple media options. Specifically, a remote device notifies a user of incoming communication events and offers real-time coupling of the notifications with communication management options. The message is delivered or otherwise processed according to the option selected.” (Abstract)

In contrast, claim 1, as amended, in pertinent part, recites “retrieving caller identification (ID) and information associated with the incoming call, wherein the caller ID and the information are retrieved from a plurality of sources . . . examining one or more of predefined preferences of a user of the cell phone, a calendar of the user indicating availability of the user, and real-time instructions from the user . . . responding to the incoming call with a voicemail message, wherein the responding to the incoming call is adjusted according to one or more of the predefined preferences, the calendar, and the real-time instructions”. (emphasis added). Simpson and French, neither individually nor when combined, teach or reasonably suggest as least these features of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 1 and its dependent claims.

Claims 8, 15 and 22 contain limitations similar to those of claim 1. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 8, 15 and 22 and their dependent claims.

Claims 7, 14, 21 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over either Simpson, U.S. Patent Publication No. 2004/0266399 (“Simpson”) in view of French-St. George, et al., U.S. Patent No. 6,122,348 (“George”) and further in view of Ihara, et al., U.S. Patent Publication No. 2004/0185915 (“Ihara”).

Claims 7, 14, 21 and 28 depend from one of claims 1, 8, 15 and 22 and thus include all the limitations of the corresponding base claim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 7, 14, 21 and 28.

Conclusion

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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